BEFORE THE LOK ADALATH

ORGANISED BY THE KERALA HIGH COURT LEGAL SERVICES COMMITTEE

PRESENT :

THE HONOURABLE MR. JUSTICE K.JOHN MATHEW (RETD.JUDGE)
&
HE HONOURABLE MR. JUSTICE T.V.RAMAKRISHNAN (RETD.JUDGE)

THURSDAY, THE 1ST MARCH 2007 / 10TH PHALGUNA 1928

CRP.No. 931 of 2005()

AGAINST THE ORDER DATED 30/05/2005 IN EA 47/05 IN EP 98/04 IN OS.38/2003 of MUNSIFF COURT,ALUVA

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REVN. PETITIONER: PETITIONER/JUDGMENT DEBTOR/DEFENDANT:

JAMAL. K.A., S/O. KOYA,
ANCHUPARAMBIL HOUSE, KOTTAI, NEDUMBASSERY,
CHENGAMANADU VILLAGE, ALUVA TALUK.

BY ADV. SRI.P.L.DEVADAS
SRI.LIFFY P. FRANCIS
SRI.K.JAYAKUMAR

RESPONDENTS: DECREE HOLDERS/PLAINTIFFS:
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1. K.M. ALIYAR, S/O. MEETHIAN,
KADAVATH HOUSE, EDAYAPURAM, ALUVA EAST VILLAGE,
ALUVA TALUK, REPRESENTED BY HIS POWER OF ATTORNEY
HOLDER MUHAMMED, S/O. ALIYAR, KADAVATH HOUSE,
EDAYAPPURAM ALUVA.

2. K.R. DAYANANDA SHENOY,
KUNNAMPURAM HOUSE, NAZARATH ROAD, ALUVA.

BY ADV. SRI.DINESH R.SHENOY
SRI.WILSON URMESE

THIS CIVIL REVISION PETITION HAVING COME UP FOR DETERMINATION AT THE LOK ADALATH AND THE PARTIES HAVING SETTLED THE MATTER, THE FOLLOWING AWARD IS PASSED IN TERMS OF THE SETTLEMENT.

K.JOHN MATHEW (RETD.JUDGE)
&
T.V.RAMAKRISHNAN (RETD.JUDGE)

C.R.P.No.931 OF 2005

Dated this the 1st day of March, 2007

A W A R D

The parties have settled the dispute on the following terms:

Revision petitioner/Judgment Debtor will pay an additional amount of Rs.90,000/- (Rs. Ninety thousand only) over and above Rs.1,10,000/- (Rs.One lakh ten thousand only) deposited by him in the Munsiff Court, Aluva. The auction purchaser will be entitled to withdraw the amount of Rs.1,10,000/- deposited in that court. The amount of Rs. 90,000/-(Rs.Ninety thousand) will be paid within one month from today by demand draft payable at Aluva. It is also agreed that in case the amount of Rs.90,000/- is not paid as stated above, this Civil Revision Petition will stand dismissed. It is agreed that on such payment, the C.R.P will stand allowed and the sale in O.S.No.38/2003 on the file of the Munsiff Court, Aluva will be set aside. The attachment of the property will also be vacated.

Post before Court for orders regarding setting aside of sale and withdrawal of amount in deposit.

K.JOHN MATHEW
(RETD.JUDGE)

T.V.RAMAKRISHNAN
(RETD.JUDGE)

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